

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BROADPHONE LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

CIVIL ACTION NO. 2:23-cv-00001-JRG-RSP

JURY TRIAL DEMANDED

UNOPPOSED MOTION FOR LEAVE TO AMEND INFRINGEMENT CONTENTIONS

Pursuant to Patent Rule 4-6, Plaintiff Broadphone LLC (“Plaintiff”) hereby moves for an order granting Plaintiff leave to amend its Disclosure of Asserted Claims and Infringement Contentions.

On October 5, 2023, Broadphone served its Patent Local Rule 3-1 and 3-2 disclosures to Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (“Defendants”). On November 10, 2023, in response to those contentions, Defendants requested that Plaintiff serve amended contentions addressing several objections stated by Defendants. On January 12, 2024, Plaintiff provided proposed amended contentions to Defendants, asserting claim 23 of U.S. Patent 8,594,698 in addition to the previously asserted claims, and responding to Defendants’ request for amended contentions. Plaintiff and Defendants exchanged correspondence and further amendments between January 12 and April 19, 2024, resulting in a stipulation filed April 19, 2024 (ECF No. 36), attached as Exhibit A.

Pursuant to the stipulation, Plaintiff now requests leave to formally serve its amended contentions. The amendments will not result in delay in this case. Furthermore, given the early stage of the case and the parties' stipulation regarding claim 23 of the '698 Patent, the amendment will cause no prejudice to Defendants. Accordingly, good cause exists for the Court to grant Plaintiff leave to amend its infringement contentions.

Counsel for Plaintiffs has met and conferred with counsel for Defendants, and pursuant to stipulation, Defendants do not oppose the relief sought.

Dated: April 26, 2024

Respectfully submitted,

/s/ Christian W. Conkle

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ATTORNEYS FOR PLAINTIFF,
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on April 26, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Christian W. Conkle

Christian W. Conkle

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Plaintiff met and conferred with counsel for Defendants in accordance with Local Rule CV-7(h). Defendants do not oppose the relief sought in this Motion.

/s/ Christian W. Conkle

Christian W. Conkle